



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of) Examiner: Charles A. Marmor, II
Burbank et al.)
For: ELECTROSURGICAL BIOPSY DEVICE)
AND METHOD) Group Art Unit: 3736
Serial No.: 10/650,027)
Filed: August 27, 2003)
Docket No.: R0367-00302)

**RESPONSE TO NOTICE OF
NON-COMPLIANT AMENDMENT**

CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. §1.8

I hereby certify that this paper is being deposited in the United States mail as first class mail with postage prepaid, and is addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 1/20/2006 in San Francisco, CA.

By: Edward J. Lynch

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Non-Compliant Amendment mailed November 22, 2004 from the Patent Office and in compliance with the requirements of 37 C.F.R. §1.121 concurrently filed herewith are replacement drawings of Figures 1, 5, 6, 9, 10, 15 and 16 which are identified in the top margin as such. Further in response to the Notice is the Resubmission of Amendment And Response To Office Action Mailed 10/25/2005 in which the claims are properly identified by status pursuant to 37 CFR 1.121 enclosed herewith.

Respectfully submitted,

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In re the application of
Burbank et al.

) Examiner: C. A. Marmor, II
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Group Art Unit: 3736

For: **ELECTROSURGICAL BIOPSY DEVICE
AND METHOD**

1

Serial No.: 10/650,027

RESUBMISSION OF AMENDMENT

Filed: August 27, 2003

AND RESPONSE

Atty. Docket No.: R0367-00302

) 10/25/2005

10.1007/s00339-017-0370-2

F.R. 1.8

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CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. 1.8

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By:

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed on October 11, 2005 and pursuant to the Notice of Non-Compliant Amendment (37 CFR S1.121) mailed January 12, 2006, please amend the above-identified application as follows: